

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

RANDY RIDDLE,

Plaintiff,

v.

DILLARD STORE SERVICES, INC.,

Defendant.

Case No. 21-2263-DDC-GEB

MEMORANDUM AND ORDER

In this lawsuit alleging workplace discrimination, *see* Doc. 1 at 4 (Compl. ¶¶ 22–28), the parties have filed a Joint Motion to Compel Arbitration and Stay Proceedings (Doc. 4). The Joint Motion explains that plaintiff signed “an Agreement to Arbitrate Legal Claims with Dillard’s,” and that the “parties have agreed to submit this matter to binding arbitration under the terms of this Agreement.” *Id.* at 1 (¶¶ 1–2). So, the Joint Motion asks the court “to compel arbitration and stay all further proceedings pending arbitration of the claims raised in this action.” *Id.*

The court grants the Joint Motion (Doc. 4) for two reasons. *First*, the motion is filed jointly. *See id.* (explaining that the parties jointly move the court for the relief requested). Thus, no one opposes the motion. And our court’s Local Rules explain that unopposed motions typically are granted “without further notice.” D. Kan. Rule 7.4(b). *Second*, the Federal Arbitration Act authorizes a district court to compel arbitration and stay litigation while the arbitration is pending. 9 U.S.C. §§ 3–4. Here, a stay is merited because “the making of the agreement to arbitrate is not at issue.” *Nat’l Am. Ins. Co. v. SCOR Reinsurance Co.*, 362 F.3d 1288, 1290 (10th Cir. 2004) (internal quotation marks and citation omitted). So, for two

different reasons, the court grants the Joint Motion to Compel Arbitration and Stay Proceedings (Doc. 4).

IT IS THEREFORE ORDERED BY THE COURT THAT the parties' Joint Motion to Compel Arbitration and Stay Proceedings (Doc. 4) is granted.

IT IS FURTHER ORDERED BY THE COURT THAT this case is stayed pending the completion of arbitration.

IT IS FURTHER ORDERED BY THE COURT THAT the parties must file a brief status report when either the matter is resolved or by **February 19, 2022**, whichever is earlier.

IT IS SO ORDERED.

Dated this 20th day of August, 2021, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge